

COUNSELLORS AT LAW 28 STATE STREET

BOSTON, MASSACHUSETTS 02109-1784 TELEPHONE (617) 227-7400 FAX (617) 742-4214 lc@lahive.com

COPY OF PAPERS ORIGINALLY FILED JOHN A. LAHIVE, JR. (1928-1997) THOMAS V. SMURZYNSKI RALPH A. LOREN GIULIO A. DeCONTI, JR. ANN LAMPORT HAMMITTE ELIZABETH A. HANLEY AMY BAKER MANDRAGOURAS ANTHONY A. LAURENTANO KEVIN J. CANNING JANE E. REMILLARD Deann FORAN SMITH PETER C. LAURO JEANNE M. DIGIORGIO DEBRA J. MILASINCIC, Ph.D. DAVID J. RIKKERS DAVID R. BURNS JOHN S. CURRAN SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D. MEGAN E. WILLIAMS, Ph.D. RICHA NAND MICHAEL PHILLIPPS * USA M. DIROCCO HATHAWAY P. RUSSELL ***

SENIOR COUNSEL JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.
SIBLEY P. REPPERT

PATENT AGENTS
THEODORE R. WEST
SHAYNE Y. HUFF, Ph.D.
DANIEL B. KO

TECHNICAL SPECIALISTS MARIA LACCOTRIPE ZACHARAKIS, PI CYNTHIA M. SOROOS PETER W. DINI, Ph.D. EUIHOON LEE JENNIFER K. ROSENFIELD ALLAN TAMESHTIT, Ph.D. CATHERINE E. MCPHERSON ERIC F. WAGNER, Ph.D. SHAHID HASAN, Ph.D. JACOB G. WEINTRAUB PETER A. DIMATTIA JONATHAN M. SPARKS, Ph.D. CRISTIN E. HOWLEY, Ph.D. VINCENT P. LOCCISANO MERIDETH C. ARNOLD

* Admitted in NY only
** Passed the Patent Bar Examination

Admitted in TX only

RECEIVED

MAR - 6 2002

TECH CENTER 1600/290

Commissioner for Patents Washington, D.C. 20231

Re: U.S. Divisional Patent Application No.: 09/658,969

Entitled: METHODS FOR MODULATING THE ACTIVITY OF MSH5 (As amended)

January 31, 2002

Filed: September 11, 2000

Inventors: Winfried Edelmann, Richard D. Kolodner,

Jeffrey W. Pollard, and Raju S. Kucherlapati

Our Ref. No.: AHN-001DV2

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

- 1. Response to Restriction Requirement (6 pages);
- 2. Request for a One-Month Extension of Time (1 page) (in duplicate);
- 3. Statement of Limited Recognition Under 37 C.F.R. §10.9(b);
- 4. Check for \$110.00 (extension fee); and
- 5. Pre-paid Acknowledgment Postcard.

No costs are believed to be due in connection with the filing of this Response. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached. The undersigned requests any extensions of time nexessary to respond.

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

Maria C. Laccotripe

Limited Recognition Under 37 C.F.R. § 10.9(b)

LAHIVE & COCKFIELD, LLP

Attorneys at Law

By: Maria C. Laccotripe, Ph.D.

Limited Recognition Under 37 C.F.R. §10.9(b)

Attorney for Applicants

Date: January 31, 2002